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OPPENHEIMER WOLFF & DONNELLY, LLP  
PLAZA VII, SUITE 3300  
45 SOUTH SEVENTH STREET  
MINNEAPOLIS MN 55402-1609

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**MAY 09 2007**

**OFFICE OF PETITIONS**

In re Application of	:	
Julio J. Hernandez et al.	:	
Application No. 10/810,910	:	DECISION ON RENEWED PETITION
Filed: March 26, 2004	:	UNDER 37 C.F.R. §1.137(f)
Attorney Docket No. 60021-	:	
379701	:	
Title: ENHANCING INSIGHT-DRIVEN	:	
CUSTOMER INTERACTIONS WITH A	:	
WORKBENCH	:	

This is a decision on the renewed petition filed on February 22, 2007, pursuant to 37 C.F.R. §1.137(b), which is properly treated as a petition pursuant to 37 C.F.R. §1.137(f), to revive the above-identified application.

A grantable petition pursuant to 37 CFR 1.137(f) must be accompanied by:

- (1) Notification of the filing of an application in a foreign country or under a multinational treaty that requires 18 month publication<sup>1</sup>;
- (2) The petition fee as set forth in 37 C.F.R. § 1.17(m), and;
- (3) A statement that the entire delay in filing the notice from the date that the notice was due under 35 U.S.C. §122(b)(2)(B)(iii) until the date the notice was filed was unintentional. The Commissioner may require additional information where there is a question

<sup>1</sup> See PTO/SB/36 and paragraph on PTO/SB/64a for further information. Both may be downloaded at <http://www.uspto.gov/web/forms/index.html>.

whether the delay was unintentional.

The original petition was filed on August 21, 2006, under the wrong section of the C.F.R. - the original petition was filed under Rule §1.137(b). Petitioner neither included the proper statement of unintentional delay, nor did he provide notification of the filing of an application in a foreign country or under a multinational treaty that requires 18 month publication.

The prior decision set forth:

On renewed petition, Petitioner's representative may wish to consider submitting form PTO/SB/64a, which may be downloaded at <http://www.uspto.gov/web/forms/sb0064a.pdf>.

(Emphasis included).

The original petition was dismissed via the mailing of a decision on January 30, 2007.

On February 22, 2007, Petitioner filed this renewed petition. Petitioner has again misfiled this petition under the incorrect Rule. Petitioner has provided notification of the filing of an application under a multinational treaty that requires 18-month publication. However, Petitioner has again failed to provide the proper statement of unintentional delay.

Accordingly, the petition under 37 C.F.R. §1.137(f) must be **DISMISSED**.

Any response must be submitted within **TWO MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The submission should include a cover letter entitled "Second Renewed Petition under 37 CFR 1.137(f)."

The second renewed petition should indicate in a prominent manner that the attorney handling this matter is Paul Shanowski, and may be submitted by mail<sup>2</sup>, hand-delivery<sup>3</sup>, or facsimile<sup>4</sup>. If responding by mail, Petitioner is advised not to place the undersigned's name on the envelope. Only the information that appears in the footnote should be included - adding anything

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2 Mail Stop Petition, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

3 Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA, 22314.

4 (571) 273-8300- please note this is a central facsimile number.

else to the address will delay the delivery of the response to the undersigned.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225<sup>5</sup>. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanowski  
Senior Attorney  
Office of Petitions  
United States Patent and Trademark Office

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<sup>5</sup> Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. §1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.